(3)

CHHOK

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 2420 / 2003

Petitioner (Plaintiff) : Pankaj Kumar Jain S/o Dhanya Kumar Jain, aged about 25 years R/o Neora, Tehsil Tilda, Dist : Raipur-(C.G.)

(Note : The petitioner is a legal representative of deceased plaintiff Shanti Bai who had originally filed a suit but had died during the pendency of the same. In the order impugned dated 07.07.2003 the name of Shanti Bai has been mentioned, however as she has expired, the petition is being filed by the legal representative Pankaj Kumar Jain.)

P. R. No. 2262/03
Presented by Shri Shriram Dhruve
dated 06/08/03

Versus

Respondents (Defendants) :

1. Smt.Archna Jain Widow of Late Shri Manoj Jain aged about 33 years, R/o Sasaholi, Tehsil Tilda, Dist : Raipur-(C.G.)

2. Palak Jain S/o Late Manoj Jain aged about 9 years, Minor and therefore through the mother and natural guardian Smt.Archna Jain Widow of late Shri Manoj Jain R/o Sasaholi, Tehsil Tilda, Dist : Raipur-(C.G.)

3. State of Chhattisgarh Through the Collector, Raipur C.G. R

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(55)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2420/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

29-08-2003

Heard Shri P. Diwakar, counsel for the petitioner.

By this petition under Article 226/227 of the Constitution of India the petitioner has challenged the order dated 07-07-2003, passed by the Third Additional District Judge, Raipur in Misc. Civil Appeal No.5/2003 by which the learned Third Additional District Judge has rejected the appeal of the petitioner filed against the order dated19-02-2003, passed by the Civil Judge, Class-I, in Civil Suit No.48-A/2002.

I have heard learned counsel for the petitioner and perused the order passed by the trial Court as well as the appellate Court.

The grandmother of the petitioner had filed a Civil Suit for declaration and injunction and during the pendency of the said suit the grandmother of the petitioner namely Smt. Shanti Bai died and the petitioner has been substituted in her place. Learned trial Court has rejected the temporary injunction sought by the petitioner and the same has been upheld by the learned appellate court.

Learned counsel for the petitioner submitted that if a direction is given to the trial Court to expedite the hearing of the civil suit that will meet the ends of justice.

[पीछे देखिये

(56)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.2225/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having heard learned counsel for the petitioner, having regard to the facts and circumstances of the case and having regard to the latest amendment of Civil Procedure Code, it is expected that the trial Court will expedite the hearing of the civil suit and decide the same as early as possible.

With this observation the petition stands disposed of.

Consequently, M.W.P.No.2225/2003 and I.A.No.2430/2003 stand disposed of.

Sd/-
L.C. Bhadoo
Judge

02-09-03

[पीछे देखिये